United Nations A/HRC/39/NGO/124

General Assembly

Distr.: General
5 September 2018

English only

Human Rights Council
Thirty-ninth session
10-28 September 2018
Agenda item 8
Follow-up to and implementation of the Vienna Declaration and Programme of Action

Written statement* submitted by the World Barua Organization, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[14 August 2018]

* Issued as received, in the language(s) of submission only.

GE.18-14730(E)
1814730

Please recycle

Follow-up and implementation of the Vienna Declaration and Programme of Action

Rights of indigenous people are threatened by cultural, social and economic encroachment by majority people. Indigenous communities are compelled to pay the cost of development and the community itself is left out of development. To address this growing concern Vienna declaration elaborately speaks about protection of rights of indigenous peoples it says,

"Considering the importance of the promotion and protection of the rights of indigenous people, and the contribution of such promotion and protection to the political and social stability of the States in which such people live, States should, in accordance with international law, take concerted positive steps to ensure respect for all human rights and fundamental freedoms of indigenous people, on the basis of equality and non-discrimination, and recognize the value and diversity of their distinct identities, cultures and social organization."

It is prime responsibility of every state to abide by this declaration. We want to draw attention of this council through this written statement to the situation of indigenous peoples from North Eastern part of India.

Dear Council members, currently, issue of National Registry of Citizenship (NRC) in Assam is in focus in India. It is widely debated in Parliament and outside. NRC was long standing demand of indigenous Assamees since long. Somehow, indigenous groups working in Assam succeeded in pressurizing the government to start and then expedite the process. But sadly the whole issue has attracted another debate revolving around religious grounds. There are vested political interests of ruling political party, and many of the opposition parties too, in taking the issue in the battlefield of religious conflicts. Basically, indigenous peoples are not against any particular religion or religious minorities. NRC was one of the ways to protect their own identity, culture and economic stability. Its importance and how it has no connection with religious conflict is explained below.

Concerns of the Indigenous people of Assam:

1. It is extremely easy for illegal immigrants to create a false identity because of their cultural proximity with India, which is further bolstered with false documentation which can be attained for as little as Rs.200-300(US$ 3).
2. Through NRC, genuine citizens can hence be readily identified.
3. Politically the illegal immigrants are in a position to influence the results of the election in Assam, with the number of Assamese speakers decreasing in another 7 districts: Barpeta, Darrang, Sonitpur, Morigaon, Lakhimpur, Dhemaji, Bongaigaon. The official language in the Barak valley region (made up of three districts) of the state of Assam is Bengali since it is largely dominated by Bengali speaking illegal immigrants.
4. There has been internal displacement in most of the abovementioned districts due to the continuous influx of illegal immigrants and the cultural, political and socio-economic threat it creates for the indigenous people of Assam.
5. According to the census of 2001, the Assamese indigenous people made up only 48% of the total population of Assam. A majority of the rest of the population is made up of illegal immigrants. The NRC is thus crucial to identify these illegal immigrants. For reference, one can examine the state of the Tripuri indigenous people, who had been forced to allow illegal immigrants from the neighbouring country to settle in Tripura, which led to the eventual demise of their majority status.
6. There are expected to be further conflicts if the Citizenship (Amendment) Bill 2016 is passed by the Central Government of India. It aims to grant citizenship to those illegal immigrants who have suffered religious persecution in the neighboring countries. This will allow close to 8 million illegal immigrants to be citizens of India, residing in Assam.
7. Due to the high number of illegal immigrants in the Barak valley region of Assam in India, the voices of the indigenous people have been subdued politically. Even though they do not want the Citizenship (Amendment) Bill 2016 to be passed, the dominant community's (consisting mostly of illegal immigrants) opinion to pass the bill has been recognized by the Central government of India.
8. The lower parts of the Brahmaputra valley experiences an annual influx of an estimated 300,000 illegal immigrants; mostly entering Assam in search of cultivable land. Due to this, the Muslim population has significantly increased- in some districts the illegal Muslims make up 79% of the population (Dhubri state, census 2011). There are fear amongst the natives of forceful conversion as has been the case for many indigenous communities of Bangladesh.

9. Historically, there have been attempts to forcefully assimilate Assam and much of North-east India with Bangladesh/East Pakistan, with the unabated flow of illegal immigrants and their growing numbers in many districts of Assam and the whole of Tripura, those fears of forceful assimilation have resurfaced. There is a possibility of the states with a majority of illegal immigrants demanding to be integrated with Bangladesh.

Illegal immigration must be treated as a national issue rather than a regional issue. There have been reports of illegal immigrants entering India through Assam and travelling as far as Mumbai and Delhi in search of a more promising life. The indigenous people of Assam believe that a permanent solution can be reached to the decades old problem of illegal immigration in Assam. The root causes of this problem must be addressed along with identifying the illegal population. Assistance to countries neighbouring India, in particular Assam, in economic development is crucial, not just for India but for the international community. Raising awareness about the importance of family planning, tolerance among religious communities, empowerment of women workforce are ways that can refrain immigrants from choosing to make the treacherous transition into India in search of a better life. In addition, the government of India has to execute its promises of strengthening the border.

We request this council, special rapporteur on minorities, special rapporteur on rights of indigenous peoples and working group on indigenous peoples to take appropriate measures to ensure protection of rights of indigenous peoples from India as guaranteed in Vienna declaration.